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四部委联合立案山东"新立克" 三名高管被双规

Four Ministries Jointly Investigate "NEO-LUCK" Case in Shandong Province
Three Top Managers Detained and Interrogated

新立克实际控制人、前任董事长尹军、现任董事长王铎以及原新立克分管财务的副总经理季

晓芳三人，因侵吞巨额国有资产被“双规”，由中纪委、公安部、审计署、银监会等组成的

联合办案小组突审。该集团优质企业纷纷破产，大都为高管直接或间接控制。

Neo-Luck's controlling person and former board chairman Yin Jun, its incumbent chairman Wang Duo and former director and deputy general manager in charge of finance Ji Xiaofang were put in "shuang'gui" [detained and interrogated] on suspicion of the embezzlement of state-owned assets by a special joint group of investigators from the China Communist Party Central Commission for Discipline Inspection, the Ministry of Public Security, the National Audit Office and the China Banking Regulatory Commission. High-quality companies of the Neo-Luck Group went bankrupt one after another, with their assets eventually coming under the direct or indirect control of the Group's senior managers.

网络版专稿/《财经》杂志报道：“五·一”长假的第一天，山东潍坊，正在庆祝第24届国际风

筝会。在这个名扬海内外的风筝之乡喧嚣热闹的场景背后，中纪委、公安部等部门联合办案

人员已悄然空降潍坊。

Internet edition special draft/ "Caijing" Magazine reports: On the first day of the week-long May Day holiday, Shandong Province's Weifang City was in the midst of celebrations for the 24th International Kite Festival. As the world famous hometown of kites was blissfully engulfed in a carnival like atmosphere, a special group of investigators from the China Central Commission for Discipline Inspection, the Ministry of Public Security and other government agencies arrived in Weifang quietly.

有消息人士证实，潍坊新立克（集团）有限公司（下称新立克）的实际控制人、前任董事长

尹军、现任董事长王铎以及原新立克集团董事、分管财务的副总经理季晓芳三人，因侵吞巨

额国有资产，涉嫌经济犯罪而被“双规”。由中纪委、公安部、审计署等多方组成的专案组，对上述嫌疑人员突审。

According to well-informed sources, Neo-Luck Group's actual controlling person and former board chairman Yin Jun, its incumbent chairman Wang Duo and former director and deputy general manager in charge of finance Ji Xiaofang were put in "shuang'gui" [detained and interrogated] on suspicion of the embezzlement of state-owned assets and fraud. Seen as an emergency, the case was handled by a special joint group of investigators from the China Communist Party Central Commission for Discipline Inspection, the Ministry of Public Security, the National Audit Office and the Banking Regulatory Commission.

此时距离长城资产管理公司(下称“长城公司”)购得新立克集团不良贷款包已近一年半时间。

2005 年 10 月，长城公司从中国银行购得新立克面值 19 亿元的不良贷款。但在清收时，长城公司发现，新立克的大多数优质企业在 2003 年之后相继破产，继而将负债全部转嫁到其空壳母公司身上，致使各债权金融机构几近颗粒无收。

It has been nearly a year and a half since Great Wall purchased an NPL (Non-performing loans) package related to Neo-Luck Group. In October 2005, Great Wall bought creditor's rights for non-performing loans of Neo-Luck with a book value of RMB 1.9 billion Yuan from the Bank of China. But when it started to collect these loans, Great Wall discovered that most of the Group's high-quality subsidiaries had gone into bankruptcy since 2003, and all their debts were transferred to their shell parent company. As a result, the financial creditors got nothing.

在与新立克集团谈判未果后，2006 年 4、5 月间，长城公司诉诸媒体。该公司有关人士将这一案件评论为“最大的国有资产流失案”。

After negotiations with the Neo-Luck Group collapsed, Great Wall resorted to the public media in April and May, 2006. A spokesperson of Great Wall commented that it was "largest loss of state-owned assets in a single case".

根据《财经》记者调查，事件被曝光以后，尹、王等人四处活动，在长达一年的时间里不仅安然无恙，反而继续加大了破产逃废债的力度。

According to the findings of "Caijing" Magazine reporters, after the scandal was disclosed to the public, Yin Jun and Wang Duo, still at large for almost a year, speeded up their plans for escaping debt through bankruptcy in the year that followed.

2006 年 11 月，长城公司通过银监会，报请公安部，对尹军、王铎等新立克多名高管实施了

边控 (禁止出境的控制) , 但直至 2007 年 2 月第二次延续边控 (一般边控期限是三个月) , 新立克案仍未有进展。

In November 2006, through the China Banking Regulatory Commission, Great Wall requested that the Ministry of Public Security prohibit Yin Jun, Wang Duo and other senior managers of the Neo-Luck Group from leaving the country. In February 2007, the deadline for this prohibition was extended (orders that prohibit people from leaving the country usually carry a 3 month period of validity) but no progress had been made with the case.

这一状况持续到今年三月中旬 , 审计署开始对长城资产管理公司开展常规审计。在此过程中 , 新立克涉嫌假破产逃废债、侵吞国有资产的可疑之处引起了审计人员的重视。此后 , 审计署对新立克项目作了专项现场审计。4 月中旬 , 审计署在调查后认为案情严重 , 即以“审计要情”的形式向国务院汇报并获重要批示 , 中纪委、公安部、银监会、审计署随即联合立案 , 并在 5 月 1 日下午 , 在潍坊将尹军、王铎、季晓芳依法控制。

This situation continued until the middle of March, 2007 when the National Audit Office carried out a routine audition of Great Wall. During the audit, Neo-Luck's suspicious actions, hinting to fake bankruptcy in order to escape debt and the seizing of state-owned assets, caught the attention of the auditors. Subsequently, the National Audit Office conducted a special on-site audit of Neo-Luck Group's projects. In mid April, after investigation, the National Audit Office considered the case very serious, and reported to the State Council in the form of "Important Situation During Audit", and the State Council gave an important instruction to investigate the case. The China Communist Party Central Commission for Discipline Inspection of CPC, the Ministry of Public Security, the National Audit Office and the Banking Regulatory Commission put the case on file for investigation immediately. On the afternoon of May 1 2007, the special investigation team apprehended Yin Jun and other senior managers of Neo-Luck Group in Weifang City.

新立克集团注册资本人民币 36300 万元 , 原为潍坊市第一大国有企业集团。潍坊市国有资产管理局投资 35937 万元 , 占股 99% ; 潍坊市国有资产经营投资公司投资 363 万元 , 占股 1%。

新立克集团拥有全资和控股企业 20 余家 , 在美国、澳大利亚和香港设有三家海外公司 , 拥有员工 3000 多人 , 资产总额 38.8 亿元 , 是山东省重点企业集团和全国 520 家重点企业集团。

Neo-Luck Group was one of the largest state-owned groups in Weifang City, with registered

capital of RMB 363 million Yuan. Ninety-nine percent of the company's stake was held by the Weifang State-owned Asset Administration Bureau, with its investment of RMB 359, 370, 000 Yuan. The other one percent was held by the Weifang State-owned Asset Operation and Investment Company, who had invested RMB 3.63 million Yuan. Neo-Luck owned more than 20 wholly-owned subsidiaries and joint venture companies as well as overseas subsidiaries in the US, Australia and Hong Kong, employing more than 3000 people in total. The company's assets totaled at RMB 3.8 billion. It was listed among the key enterprise groups in Shandong Province and the 520 national key enterprise groups.

截至 2000 年末，新立克集团负债总额 34.16 亿元，所有者权益为 3.74 亿元。根据有关银行的调查，新立克从 1997 年开始欠息，这种情况持续到 2000 年的时候，新立克已经无法再获得任何贷款，其原有贷款也被银行方面划为“不良”。据统计，新立克集团的负债几乎遍及当地商业银行。但在 2005 年的银行改革中，新立克的有关银行债务被转至资产管理公司。

At the end of the year 2000, the total debts of Neo-Luck Group were RMB 3.416 billion Yuan whereas its owners' equity was 374 million. According to the findings of related banks, Neo-Luck started to default interest payments in 1997, and this situation continued until 2000, when the company could no longer secure additional loans from banks. Furthermore, its original loans were classified as "non-performing". According to records, Neo-Luck Group took out loans from almost every local bank. However, during the reform of the banking industry in 2005, Neo-Luck's debt owed to the banks was transferred to asset management companies.

据此前长城资产管理公司的调查，自 2003 年始，新立克集团即有计划地实施假破产逃废债的系列动作，破产企业均为该集团的优质企业，而这些企业破产易手后，大都为新立克高管直接或间接控制。目前，具体案情正进一步侦破。

According to a previous investigation conducted by Great Wall, Neo-Luck Group started a series of fake bankruptcies to escape debts in 2003. Subsidiaries that went bankrupt were all high-quality companies in the Group, and after bankruptcy, all high quality assets eventually came under the direct or indirect control of senior managers from Neo-Luck. This case is still under investigation.